

Nadler: Republican Attempt to Curtail Choice is a Vicious Assault on American Women and Families

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WASHINGTON, D.C. - Today, Congressman Jerrold Nadler (D-NY), the top Democrat on the Judiciary Subcommittee on the Constitution, stated his vehement opposition to H.R. 3, the so-called No Taxpayer Funds for Abortion Act, introduced by Rep. Chris Smith (R-NJ). At a Constitution Subcommittee hearing on the bill - the Subcommittee's first hearing of the new Congress - Nadler railed against this attempt to roll back hard-won reproductive rights, and against cynical Republican mischaracterizations of their intent. H.R. 3 would ban coverage of abortion in the new health care system and impose tax penalties on Americans with private insurance plans that include abortion coverage. It would also narrow the definitions of rape and incest and endanger the lives of women with high-risk pregnancies.

"The No Taxpayer Funding for Abortion Act goes well outside the limits of taxpayer funding and places government in the middle of private choices by families and businesses about how they wish to spend their own health care dollars," said Nadler. "This legislation represents an entirely new front in the war on women and their families….It seems that Republicans only believe in freedom provided no one uses that freedom in a way that Republicans find objectionable."

The following is the text of Nadler's opening statement, as prepared:

"I first want to note that this is our first Subcommittee hearing of the 112th Congress, and your first as Chairman. I want to congratulate you. Although our jurisdiction includes some of the most difficult issues before the Congress, ones which have historically been very contentious, I look forward to working with you in a spirit of comity to give what we both know are strongly and sincerely held views the fair hearing that they deserve.

"Having chaired this Subcommittee for two Congresses, and having served as the Ranking Member before that, I appreciate what a challenge this Subcommittee can be. I look forward to working with you.

"Today's hearing concerns what just might be the most difficult and divisive issue we will have the opportunity to consider. A woman's right to make decisions about her own body, whether to become pregnant, to continue a pregnancy, or whether to terminate a pregnancy, has long been a right protected by the Constitution. Whether or not you think that is a good idea, or a fair reading of the Constitution, it remains the law of the land.

"Congress has, for more than three decades, used economic coercion to prevent women from exercising that constitutionally protected choice. Until now, that coercion was directed against the poor, and women dependent on the government for health care: military personnel and their dependants, prison inmates, and federal employees. We have, thus, developed a two-tiered system, where people with means have the right to choose, and where vulnerable populations do not.

"Now comes the No Taxpayer Funding for Abortion Act, which is really misnamed, because it goes well outside the limits of taxpayer funding and places government in the middle of private choices by families and businesses about how they wish to spend their own health care dollars. This legislation represents an entirely new front in the war on women and their families.

"After two years of hearing my Republican colleagues complain that government should not meddle in the private insurance market, or in private health care choices, I was stunned to see legislation so obviously designed to do just that. It seems that Republicans only believe in freedom provided no one uses that freedom in a way that Republicans find

objectionable. It is a strange understanding of freedom.

"Even more stunning, this bill contains huge tax increases on families, businesses, and the self-employed if they spend their own money - let me repeat that: their own money - on abortion coverage or services. The power to tax is the power to destroy, and, here, the taxing power is being used to destroy the right of every American to make private health care decisions free from government interference.

"A Republican tax increase? You heard it here first.

"I am equally surprised to find out that my Republican colleagues think that a tax exemption or credit is a form of government funding. What happened to all the rhetoric about it being 'our money?' Or does that only apply in certain circumstances. Will we now have to judge every tax exemption or credit as a form of government funding for the recipient? I'm sure that there will be many businesses, charities, and religious denominations that will be alarmed to find this out.

"I also join many other Americans in being absolutely horrified that the sponsors of this bill seem not to know what rape and incest are.

"Rape, according to this legislation is only forcible rape. Date rape drugs, sex with minors or with the mentally impaired are - at least according to the sponsors of this bill - not really rape anymore.

"Incest is also no longer incest. Instead, it is now 'incest with a minor,' which means - I guess - that incest with a high school student doesn't count.

"Have the extremes really taken such a hold on this debate that we can't even agree to help children and teenagers who are the victims of predators? Is there no compassion left in this place?

"There is also a provision in this bill that would allow any health care provider or institution to refuse to provide an abortion to a woman whose life is in imminent peril. They could let that woman die right there in the emergency room and the government would be powerless to do anything. In fact, if the government insisted that the hospital not let the woman die, section 311 of the bill would allow the hospital to sue the government and, in the case of a state or locality, strip that community of all federal funding until the jurisdiction relented.

"That's the new definition of 'pro-life'?

"So, Mr. Chairman, let's start off on the right foot: the No Taxpayer Funding of Abortion Act is not really about taxpayer funding; it's about government interfering with private health care decisions. It is not about protecting the innocent, it is about creating appalling, even life threatening situations, for women. It is a tax increase of historic proportions. Finally, if passed, it would eliminate the private market for abortion coverage.

"The sponsor of this legislation, the Gentleman from New Jersey, has been very clear about his purpose. When he introduced this bill, he cited a study by the Guttmacher Institute that showed a decline in the rate of abortions by approximately 25% when funding is cut off. What that proves is that economic coercion works. This bill takes that to a

whole new level by going after the private insurance and health care markets.

"It is an unprecedented attack on women, families, and their rights under the constitution. Let's not pretend this is about government funding."

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